



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

JOSH STEIN • Governor

DEV DUTTA SANGVAI • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

September 26, 2025

Josh McCann
jmccann@polsinelli.com

Exempt from Review – Acquisition of Facility

Record #: 4914
Date of Request: August 29, 2025
Facility Name: Tender Loving Care Home Health Care Agency, Inc.
Type of Facility: Hospice
FID #: 090440
Acquisition by: Amedisys Hospice, LLC
Business #: 2652
County: Franklin

Dear Mr. McCann:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that the project described above is exempt from certificate of need (CON) review in accordance with G.S. 131E-184(a)(8). Therefore, the above referenced business may proceed to acquire the health service facility identified above without first obtaining a CON. The Agency's determination is limited to the question of whether the above referenced business would have to obtain a CON if the current owners of the health service facility do in fact sell it to the business listed above. Note that pursuant to G.S. 131E-181(b): "*A recipient of a certificate of need, or any person who may subsequently acquire, in any manner whatsoever permitted by law, the service for which that certificate of need was issued, is required to materially comply with the representations made in its application for that certificate of need.*"

If the business listed above does acquire the facility, you should contact the Agency's CON Section to obtain instructions for changing ownership of the existing facility.

It should be noted that this Agency's position is based solely on the facts represented by you and that any change in facts as represented would require further consideration by this Agency and a separate determination regarding whether a certificate of need would be required. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Cynthia Bradford
Project Analyst

Micheala Mitchell
Chief

cc: Acute and Home Care Licensure and Certification Section, DHSR

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION
HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603
MAILING ADDRESS: 809 Ruggles Drive, 2704 Mail Service Center, Raleigh, NC 27699-2704
<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3873

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900 W. 48th Place, Suite 900, Kansas City, MO 64112 • (816) 753-1000

August 29, 2025

Joshua D. McCann
(816) 360-4289
(816) 817-0285 Fax
jmccann@polsinelli.com

VIA ELECTRONIC MAIL AND FED-EX

Micheala.Mitchell@dhhs.nc.gov
Ms. Micheala Mitchell, Chief
North Carolina Department of Health and Human Services
Division of Health Service Regulation
Health Planning and Certificate of Need Section
2704 Mail Service Center
Raleigh, NC 27699-2704

**Re: Exemption Notice for Acquisition of Tender Loving Care Health Care Services Southeast, LLC dba Amedisys Hospice
North Carolina Home Care Agency License No. HOS3826, HOS3147, HOS3823**

Dear Ms. Mitchell,

I am writing on behalf of our client, Amedisys, Inc. ("Amedisys") to provide notice to the N.C. Department of Health and Human Services, Division of Health Service Regulation, Certificate of Need Section ("the Agency") of Amedisys' intent to undergo an internal corporate reorganization resulting in an existing Amedisys entity, Amedisys Hospice, LLC, acquiring the assets of Tender Loving Care Health Care Services Southeast, LLC dba Amedisys Hospice (License Numbers HOS3826, HOS3147, HOS3823) (the "Reorganization"). The Reorganization is planned to occur on September 30, 2025.

As you know, the CON law provides that upon receiving prior written notice, the CON Section shall exempt from CON review the acquisition of "an existing health service facility, including equipment owned by the health service facility at the time of acquisition." N.C. Gen. Stat. § 131E-184(a)(8). A hospice agency office is a health service facility. *Id.* at § 131E-176(9b). The Reorganization will also not result in the development or establishment of any new health service facility, nor will it result in the offering,

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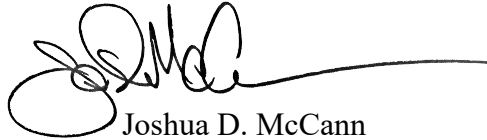
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development, or establishment of any institutional health service that is not exempt in connection with this Reorganization.

We therefore ask to receive written confirmation that the acquisition of the facility listed above is exempt from CON review. Our client is also in communication with the Acute and Home Care Licensure and Certification Section as well as the Division of Medical Assistance regarding this Reorganization and will be providing notifications to them separately. Finally, because the Reorganization is planned to occur later next month, we would appreciate it if you would contact me promptly should you have any questions or concern regarding the Reorganization.

Sincerely,



Joshua D. McCann

From: [Mitchell, Micheala L](#)
To: [Stancil, Tiffany C](#)
Subject: FW: [External] Exemption Notice for Acquisition of Tender Loving Care Health Care Services Southeast, LLC - Amedisys Hospice
Date: Wednesday, September 3, 2025 4:46:20 PM
Attachments: [image001.png](#)
[NC CON Notice Letter - Hospice \(105705339v2\)-c.pdf](#)

Tiffany,

Would you mind assigning this exemption to Yolanda?

Thanks,

Micheala

Micheala Mitchell, JD
[NC Department of Health and Human Services](#)
[Division of Health Service Regulation](#)
Section Chief, Healthcare Planning and CON Section
809 Ruggles Drive, Edgerton Building
2704 Mail Service Center
Raleigh, NC 27699-2704
Office: 919 855 3879
Micheala.Mitchell@dhhs.nc.gov

From: Joshua McCann <jmccann@polsinelli.com>
Sent: Friday, August 29, 2025 5:01 PM
To: Mitchell, Micheala L <Micheala.Mitchell@dhhs.nc.gov>
Cc: Joshua McCann <jmccann@polsinelli.com>; Lauryn Sanders <lasanders@polsinelli.com>
Subject: [External] Exemption Notice for Acquisition of Tender Loving Care Health Care Services Southeast, LLC - Amedisys Hospice

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Hello,

Attached please find an Exemption Notice for Acquisition of Tender Loving Care Health Care Services Southeast, LLC dba Amedisys Hospice.

Kind regards,
Josh

Joshua McCann, PharmD

Associate Attorney

jmccann@polsinelli.com

816.360.4289 office

900 W. 48th Place, Suite 900

Kansas City, MO 64112



Polsinelli PC, Polsinelli LLP in California

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